What is sequencing?

Sequencing refers to the formula DOC uses to determine how much time an offender should spend in prison.

Prisoners are credited for the number of days spent in jail prior to going to prison. Currently, they also receive days credited to their sentence for good behavior (referred to as good time) while in jail and in prison as an incentive to behave. DOC uses software to automatically sequence and calculate all those credits.

In this case, the problem with early releases occurred because the software used by DOC did not accurately sequence the credits certain offenders should receive for the time spent in jail -- specifically, offenders convicted of crimes with certain aggravating factors (referred to as enhancements), such as using a firearm.

Enhancements increase the length of a sentence. So for example, if an offender is sentenced to prison for robbery, he would have additional time added if there was an enhancement, such as using a firearm in the crime.

In that example, let's say the offender received a four-year "base" sentence for robbery and an additional one year enhancement for using a firearm. So all told, the offender has a five year sentence.

Prior to the King decision, DOC only credited offenders for the number of days spent in jail. The department did not provide credits for good time in jail. After the King decision, DOC changed its software coding to credit offenders for good time while in jail.

However, the coding sequence applied the good time credits to both the base sentence and the enhancement time.

The King decision did not allow DOC to provide good time credits to offenders for the enhancement portion of their sentence. That meant the sequence used in the sentence calculation was crediting too much good time for certain offenders with enhancements who earned good time while in jail.